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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA
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10 CHARLES V REED,

11 Plaintiff,

12 v.

13 WASHINGTON STATE
14 DEPARTMENT OF CORRECTIONS,
15 et al.,

16 Defendant.

CASE NO. C16-5993 BHS-DWC

ORDER ADOPTING REPORT
AND RECOMMENDATION

17 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 95. The Court
18 having considered the R&R and the remaining record, and no objections having been
19 filed, does hereby find and order as follows:

20 (1) The R&R is **ADOPTED**;
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1 (2) Defendants' motion for summary judgment, Dkt. 40, is **DENIED with**
2 **leave to refile**; and

3 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
4 Defendants, and to the Hon. David W. Christel.

5 Dated this 14th day of February, 2019.

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8 BENJAMIN H. SETTLE
9 United States District Judge
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